

# Senate Joint Resolution 2002 - Introduced

SENATE JOINT RESOLUTION 2002  
BY CHELGREN

## SENATE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution  
2 of the State of Iowa permitting electors to propose and to  
3 vote to submit initiative bills to the general assembly for  
4 consideration.

5 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. The following amendment to the Constitution of  
2 the State of Iowa is proposed:

3 1. The Constitution of the State of Iowa is amended by  
4 adding the following new section to Article II:

5 **Initiative bills proposed by electors.** SEC. 8. The electors  
6 of the state reserve the power to propose initiative bills.

7 An elector seeking to have the electors propose an  
8 initiative bill for submission to the general assembly shall  
9 file an application with the secretary of state containing  
10 the initiative bill to be so submitted. If the secretary  
11 of state finds the application and initiative bill in proper  
12 form, and that the initiative bill conforms with article III,  
13 section 29, the secretary of state shall so certify. Following  
14 certification of an application, the secretary of state shall  
15 prepare a petition, containing the text of the initiative  
16 bill and a summary of its subject matter, for circulation to  
17 electors by the elector seeking to have the electors propose  
18 the initiative bill. Denial of certification shall be subject  
19 to judicial review.

20 If an elector files such a petition signed by one hundred  
21 thousand or more electors with the secretary of state, the  
22 secretary of state shall prepare a ballot title and proposition  
23 summarizing the initiative bill, and shall place the ballot  
24 title and proposition on the ballot at the first general  
25 election held more than one hundred twenty days after the  
26 petition is filed. The design of the ballot shall permit the  
27 electors to vote for or against adoption of the proposition.

28 Preceding the general election at which the ballot title and  
29 proposition shall be placed on the ballot, the secretary of  
30 state shall cause the initiative bill to be published on the  
31 secretary of state's internet site or on another internet site  
32 and for three months electronically and in print in at least  
33 one newspaper in each county, if one is published therein.  
34 If, before the election, substantially the same bill has been  
35 enacted, the petition and ballot initiative are void.

1 The secretary of state shall certify the election returns  
2 for the proposition. If the electors shall approve such  
3 proposition, by a majority of qualified electors casting votes  
4 thereon, the secretary of state shall file the associated  
5 initiative bill with both houses of the general assembly on the  
6 first day of the next regular session of the general assembly  
7 for consideration pursuant to article III, section 15.

8 2. Section 15, Article III of the Constitution of the State  
9 of Iowa is amended to read as follows:

10 **Bills.** SEC. 15. Bills may originate in either house~~;~~ and  
11 bills other than initiative bills may be amended, altered,  
12 or rejected by the other; and every bill having passed both  
13 houses, shall be signed by the speaker and president of their  
14 respective houses.

15 An initiative bill, filed with both houses of the general  
16 assembly by the secretary of state, shall not be amended  
17 or altered and both houses of the general assembly shall  
18 debate and vote yea or nay for the passage or rejection of  
19 the initiative bill during the regular session in which it is  
20 filed. If an initiative bill is presented to the governor, the  
21 house that first passed the initiative bill shall be considered  
22 the house of origin.

23 3. Section 16, Article III of the Constitution of the State  
24 of Iowa is amended by adding the following new paragraph at the  
25 end thereof:

26 An initiative bill shall not be considered an appropriation  
27 bill and the governor may only approve or disapprove of an  
28 initiative bill in whole.

29 Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed  
30 amendment to the Constitution of the State of Iowa is referred  
31 to the general assembly to be chosen at the next general  
32 election for members of the general assembly, and the secretary  
33 of state is directed to cause the proposed amendment to be  
34 published for three consecutive months previous to the date of  
35 that election as provided by law.

1

EXPLANATION

2

The inclusion of this explanation does not constitute agreement with  
the explanation's substance by the members of the general assembly.

3

4

This joint resolution proposes an amendment to the  
Constitution of the State of Iowa by permitting electors to  
propose and to vote to submit initiative bills to the general  
assembly for consideration.

5

The amendment requires that an elector seeking to have the  
electors propose an initiative bill file an application with  
the secretary of state (secretary) containing the initiative  
bill. The secretary is required to certify applications and  
initiative bills that are submitted in proper form and meet the  
one subject requirement of the Iowa Constitution. Following  
certification, the secretary is required to prepare a petition,  
containing the text of the initiative bill and a summary of  
its subject matter, for circulation to electors by the elector  
seeking to have the electors propose the initiative bill.  
Denial of certification is subject to judicial review.

The amendment requires that the secretary prepare a ballot  
title and proposition summarizing the initiative bill upon  
receiving a petition signed by 100,000 or more electors. The  
amendment also requires that the secretary place the ballot  
title and proposition on the ballot at the first general  
election held more than 120 days after such a petition is  
filed. The amendment requires that the initiative bill be  
published for three months electronically and in print in one  
newspaper in each county.

The amendment requires that the secretary certify the  
election returns for the proposition. The amendment provides  
that if a majority of those voting on the proposition cast  
votes for adoption of the proposition, the secretary is  
required to file the initiative bill with both houses of  
the general assembly on the first day of the next regular  
session of the general assembly. The amendment requires the  
general assembly to debate and vote on any filed initiative

1 bill during the session in which it is filed, and provides  
2 that an initiative bill cannot be amended or altered. The  
3 bill provides that an initiative bill that is presented to  
4 the governor is considered to have originated in the house  
5 that first passes the bill. The amendment provides that an  
6 initiative bill shall not be considered an appropriation bill  
7 and that the governor may only approve or disapprove of an  
8 initiative bill in whole.

9     The resolution, if adopted, would be referred to the next  
10 general assembly for adoption before being submitted to the  
11 electorate for ratification.